

## **REMARKS/ARGUMENTS**

Claims 1-20 remain in this application. Claims 1, 8 and 15 have been amended to more clearly define the invention. Support for the claim amendments may be found throughout the specification, including in paragraphs 61-63.

The pending claims have been rejected under 35 U.S.C. 102(e) as being anticipated by Peters, et al. (U.S. Patent No. 6,590,969). However, the pending claims are patentably distinguishable over the cited art.

The present invention relates to a method and system that allows a subscriber to forward calls to multiple numbers, based upon the type of data being sent or other provisioned settings. Thus, an incoming call may be forwarded to different destinations based upon the type of data received. As such, claims 1, 8 and 15 include features such as receiving a call forwarding profile for the subscriber's primary communication device, storing the call forwarding profile, and matching the call received to the call forwarding profile.

Peters, et al. discloses a method for routing incoming calls to a suitable destination terminal. In this regard, a call coming in on a terminal is forwarded to the most suitable destination terminal where the call may be forwarded, so that calls are always received with the highest possible quality. However, there is no discussion in Peters of receiving a call forwarding profile from a subscriber, storing the call forwarding profile, or routing the call based upon the subscriber's call forwarding profile. In other words, the receiving terminal MOB\_T of Figure 2 in Peters *automatically* routes the call, without regard to the subscriber's preferences or a subscriber-developed call forwarding profile. In this regard, Peters differs from the present invention.]

As described in paragraphs 63-67 of the present application, the subscriber is able to choose how calls should be forwarded. In other words, calls received on the subscriber's primary communication device may be forwarded to any one of a number of devices, depending on the type of data being received. For example, all instant messages and short message service calls may be sent to a second communication device, all multi-media messages may be sent to a third communication device, and any other calls may be forwarded to the second communication device. Thus, while call quality is always a concern to the network provider, in this invention, an added concern is respecting the subscriber's wishes in regard to call forwarding.

Thus, the present invention adds flexibility by allowing the subscriber to dictate the criteria for the call forwarding. If they are on the go, then forwarding to a PC, for

example, is useless, and perhaps a PDA is better. The invention leaves the choice up to the subscriber. The cited reference, Peters, et al., fails to address this concern. Accordingly, independent claims 1, 8 and 15 are patentably distinguishable over the art of record. Further, the claims depending from these independent claims are also patentable.

### CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone John Zanghi, at (216) 861-5582.

Respectfully submitted,

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Date

5/3/06

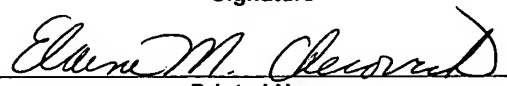
  
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